



The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114-2524

MITT ROMNEY
GOVERNOR

KERRY HEALEY
DEPUTY GOVERNOR

STEPHEN R. PRITCHARD
SECRETARY

August 15, 2005

Tel. (617) 626-1000
Fax. (617) 626-1181
<http://www.mass.gov/envir>

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

PROJECT NAME : Silver Line - Phase III
PROJECT MUNICIPALITY : Boston
PROJECT WATERSHED : Boston Harbor
EOEA NUMBER : 6826/11707
PROJECT PROPONENT : Massachusetts Bay Transportation
Authority
DATE NOTICED IN MONITOR : May 25, 2005

As Secretary of Environmental Affairs, I hereby determine that the Supplemental Environmental Impact Report (EIR) submitted on this project **adequately and properly complies** with the Massachusetts Environmental Policy Act (M.G. L., c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00). I am requiring the proponent to submit a Supplemental Final Environmental Impact Report (SFEIR) to refine the alternatives analysis and identify the Preferred Alternative for Phase III.

Project History:

The project is the merger of two separate MEPA filings (one for the South Boston Transitway, EOEA #6826 and the other for the Washington Street Replacement Service, EOEA #11707) that were once independent projects. In the NPC in 1998, the MBTA joined these two projects to create the Silver Line project.

The original proposal for Phase II of the Transitway (from South Station to Boylston Station) proposed an alignment going from South Station along Essex and Avery Streets, and terminating in a loop underneath the Boston Common's Central Burial Ground. The impacts of that alignment were fully reviewed under MEPA. The FEIR/FEIS for the Transitway was found adequate in 1994, and the MBTA issued its Section 61 Finding in 1995. In 1994, a Memorandum of Agreement was executed with the Massachusetts Historical Commission, containing the MBTA's commitments to mitigate impacts on historic and cultural resources.

In the 1998 NPC, the MBTA introduced the extension of the

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tunnel beyond the Boylston Station, with an alignment along Tremont Street, and with a portal at Washington Street and Oak Street for vehicles to connect to the Washington Street component of the Silver Line. In the August 9, 1999 Certificate on the NPC, the Secretary required the MBTA to prepare annual updates on the Silver Line and to evaluate any additional environmental impacts associated with the extension of the tunnel to the portal. The MBTA has continued to develop Phase III and has advanced the design for the project into preliminary engineering. It has continued to refine the alignment to avoid impacts to important cultural and community resources and to reduce the overall cost of the project so as to make it more competitive for federal funds.

On June 15, 2004, the proponent submitted an NPC for MEPA review that proposed modifications to the tunnel alignment for Phase III of the Silver Line bus rapid transit (BRT) project. The project involves the construction of a tunnel between South Station and Charles Street, connecting Phase I of the Silver Line with Phase II. The MBTA identified a core tunnel segment for Silver Line Phase III that follows an alignment along Essex and Boylston Streets, with two Silver Line stations at Boylston Street (connecting to the Green Line) and at Chinatown (connecting to the Orange Line), and considered alternative alignments for the tunnel connection to the portal providing access to Washington Street. It is designing and constructing the Phase III tunnel so that it can be converted at some point in the future to use by light rail.

On August 23, 2004, the Secretary issued a Certificate that required the proponent to submit a Supplemental EIR to identify the project impacts and identify a Preferred Alternative alignment for the tunnel connection to the portal to provide access to Washington Street.

Review of the Supplemental EIR:

The Supplemental EIR provided a detailed project description with a summary/history of the project. It included a summary of the core tunnel segment for the Silver Line Phase III from Boylston to South Stations. This summary included a comparative summary of the alternatives considered. The Supplemental EIR discussed the different station locations. It identified the passengers projected to use each alignment. This summary included station plans for the proposed Silver Line stations showing station entrances/exits and proposed crosswalks. The EIR addressed the many comment letters regarding the MBTA's rejection of a single station between it proposed Chinatown and Boylston Stations rather than the two proposed stations. The location and preliminary design of station headhouse entrances/exits, vent

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shafts, and station area profiles and elevations were included in the EIR for the Phase III portion of the Silver Line.

The Supplemental EIR summarized the various alternatives that the MBTA has analyzed for project segments beyond Boylston Station and identified why some of these alternatives have been rejected. The Supplemental EIR identified and analyzed the three alternative route alignments between Boylston Station and the portal:

- Tremont Street Alignment to the New England Medical Center (NEMC) Portal;
- Charles Street Alignment to the NEMC Portal;
- Back Bay Portal on Columbus Avenue; and
- The Federal Transit Administration's (FTA) Charles/Stuart/Tremont Street alignments to the NEMC Portal.

This analysis presented the alternative tunnel alignments and identified the advantages and disadvantages of each alternative. The Supplemental EIR evaluated the following environmental impacts for each Silver Line tunnel and portal alternatives: traffic, parking, transit, pedestrian and bicycle facilities, drainage/groundwater, noise/vibration, hazardous wastes, construction/community disruption, land acquisition, historical/cultural issues, parkland/open space, and mitigation. However, the Supplemental EIR did not identify the proponent's Preferred Alternative between Boylston Station and the portal.

The Supplemental EIR included a Traffic Study that was prepared in conformance with the EOEA/EOTC Guidelines for EIR/EIS Traffic Impact Assessment. It identified the specific traffic impacts from the project's potential conflicts with other vehicle traffic at the two portal alternatives. The Supplemental EIR included a Level-of-Service (LOS) analysis for the intersections that are potentially impacted by the proposed project. Some intersections were added and others were deleted from the original scope. The Supplemental EIR's LOS tables included each movement for the intersections. The Volume/Capacity ratio was provided for the signalized intersections. The Supplemental EIR included a summary of average and 95th percentile vehicle queues for each intersection within the study area. It included traffic projections from other future development proposals in the vicinity of the project. A gap analysis was conducted to determine potential impacts to emergency response vehicles at the NEMC. The Supplemental EIR identified the potential impacts associated with the proposed construction period closure of the westbound side of Boylston Street between the Charles and Tremont Street intersections.

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In Section 4.4 of the Supplemental EIR, traffic accident history for the three most recent years for which data was available was reviewed and presented for the study area. Traffic accident problem areas were identified, and solutions were proposed. The Supplemental EIR discussed the suitability of proposed signalization changes and any roadway widening or losses due to proposed portals. It discussed the right-of-way (ROW) implications of possible widening and roadway losses and described how such ROW's would be acquired. The Supplemental EIR provided an inventory of pre- and post- on-street parking facilities in the project area for each alternative.

The Supplemental EIR provided an inventory of MBTA services in the project study area. This inventory included maps of existing bus routes, Silver Line service routes, and subway infrastructure, including abandoned Green Line tunnels. It included ridership estimates for the full Silver Line, as well as for the Phase III portion, and for the various alternative alignments beyond Boylston Station. The Supplemental EIR summarized the manufacturer's design and performance standards for the dual-mode vehicles that will be used within the Phase III portion of the Silver Line. The MBTA outlined its operations plan for Phase III and identified vehicle headways for different times during the day. It identified the MBTA's proposed headway commitments regarding the maintenance of the existing Silver Line route to Temple Place. The Supplemental EIR summarized its design plans for Boylston Station, Chinatown Station, and the Portal Station. It described the range of potential options for a surface loop/spur to Back Bay. Chapter 9 in the Supplemental EIR describes the financial analysis for Phase III.

The Supplemental EIR depicted where sidewalks currently exist in a map of the station and proposed portal areas and where the proponent proposes changes to existing sidewalks and crosswalks. It documented existing and future pedestrian volumes and LOS at intersections in the vicinity of proposed stations and portals.

The Supplemental EIR determined existing noise levels in the project area and identified noise sensitive locations along the proposed tunnel. It estimated what future noise levels will be during construction of Boylston Station, the tunnel and the portal(s), and when Phase III is completed. Noise levels were estimated at these above locations. The MBTA used the Federal Transit Administration (FTA) guidelines (1995) for determining noise and vibration level impacts and compared this data with City of Boston Noise Regulations. The Supplemental EIR outlined when and what types of noise and vibration will be associated with the construction of Boylston Station and beyond. The proponent is proposing to deck over cut-and-cover sections of the

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tunnel construction to reduce potential noise impacts.

The Supplemental EIR identified existing and potential vibration levels and vibration sensitive locations along the proposed tunnel at Boylston Station and beyond. It identified areas determined to have unacceptable noise/vibration levels during construction. The Supplemental EIR addressed the significant concerns raised regarding impacts from both construction and operation of the Preferred Alternative on the NEMC's MRI capabilities.

The Supplemental EIR presented a discussion on potential construction period impacts (including but not limited to noise, vibration, dust, rodent control, transit disruption, and traffic maintenance) and analyzed feasible measures that can avoid or eliminate these impacts. The Supplemental EIR provided information regarding the potential phasing/staging of construction for Phase III.

The Supplemental EIR identified any land acquisitions and/or leasing, both temporary and permanent, which the MBTA is proposing for the project. It also identified the time frame proposed for temporary leasing.

The Supplemental EIR summarized the results of its inventory of historical, archaeological, and cultural resources that could be potentially impacted in the Core area of the project. It also identified potential impacts for the various portal alternatives beyond Boylston Station. The Supplemental EIR identified both temporary and permanent impacts to proposed parks or open space areas.

The SFEIR should resolve all the remaining issues outlined below, as required by this Certificate.

Project Description and Regulatory Environment:

The SFEIR should include a detailed description of the project. The SFEIR should compare and contrast the alternatives and identify and fully describe the proponent's Preferred Alternative for Phase III. I ask that the proponent respond to comments regarding the feasibility of an alternative portal configured along Marginal Road. The SFEIR should also discuss any changes to the project since the submission of the SEIR. It should include an existing and proposed site plan. The SFEIR should describe each state agency action required to implement the Preferred Alternative. It should also identify the amount of state funds/bonds that may be requested for this project.

The SFEIR should summarize the potential environmental

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impacts for the Preferred Alternative for Phase III: traffic, parking, transit, pedestrian and bicycle facilities, drainage/groundwater, noise/vibration, hazardous wastes, construction/community disruption, land acquisition, historical/cultural issues, parkland/open space, and mitigation. It should identify these above potential environmental impact areas for the Preferred Alternative for Phase III.

Traffic:

The SFEIR should address the several commenters who expressed continued concern with the potential impact of the NEMC portal alternative on existing traffic flow and emergency vehicle traffic. It should evaluate additional design measures that may further mitigate the potential impacts associated with this alternative.

Drainage/Groundwater:

The SFEIR should present drainage calculations and plans for the management of stormwater for the Preferred Alternative. It should include a description of the proposed drainage system design, including a discussion of the alternatives considered along with their impacts. The proposed drainage system should control storm flows at existing levels before entering the Boston Water and Sewer Commission (BWSC) stormwater system. The MBTA should consider recharging stormwater runoff in order to retain as much as possible of the existing groundwater flows and drainage patterns. The SFEIR should indicate the pump station receiving stormwater flows from the project area and identify any capacity issues at the pump station.

The SFEIR should address the performance standards of DEP's Stormwater Management Policy for its Preferred Alternative. It should demonstrate that the design of the drainage system is consistent with this policy. The proponent should use the DEP Stormwater Management Handbook when addressing this issue.

The SFEIR should discuss consistency of the project with the provisions of the National Pollution Discharge Elimination System (NPDES) general permit from the U.S. Environmental Protection Agency for stormwater discharges from construction sites. The SFEIR should include discussion of best management practices employed to meet the NPDES requirements, and should include a draft Pollution Prevention Plan.

The SFEIR should include a maintenance program that describes the actual maintenance operations and responsible parties.

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Any dewatering of the construction site should include monitoring to ensure that there is no impact to the groundwater level. The maintenance of groundwater levels is particularly important because of the number of buildings constructed on untreated wood piles that were designed to be continuously submerged in groundwater. The SFEIR should include a census/survey of existing building foundations to determine which are supported on wooden piles and where those pilings are cut off. This census should be performed within a two-block radius of the core tunnel and the Preferred Alternative's tunnel and portal areas as requested by the Boston Groundwater Trust (BGT). It should document the elevation and condition of existing wood pilings that exist and report on potential causes of reduced groundwater in the area. The SFEIR should outline the proponent's proposed monitoring program of groundwater levels. It should summarize existing pre-construction groundwater conditions if this information is available, and propose groundwater monitoring to address any impacts. The proponent should consult and coordinate its groundwater-monitoring program with the BGT.

Historical/Cultural Issues:

The SFEIR should provide any new information on historical/cultural resources developed since the SEIR was filed. It should update reviewers on its meetings with the Massachusetts Historical Commission (MHC) and the measures that the proponent is taking to comply with MHC's review. The SFEIR should provide a draft/final copy of its Memorandum of Agreement (MOA)/Programmatic Agreement (PA) with the Massachusetts Historical Commission (MHC) and any proposed addendums. I ask the proponent to also consult with the Boston Landmarks Commission before finalizing any MOA.

Parkland/Open Space:

I encourage the proponent to avoid and/or minimize to the maximum extent feasible any permanent taking of valuable parkland and open space areas unless there is no other feasible alternative available to the proponent. The SFEIR should quantify and demonstrate the necessity of any unavoidable temporary impacts to parks or open space. The SFEIR should clearly describe proposed mitigation for any temporary takings. It should identify any impacts to Article 97 land, consistency with EOEA's Article 97 Land Disposition Policy, and the Article 97 process that would be required for such a taking if required as part of the Preferred Alternative.

The SFEIR should include the replacement plan for the ball field on the Boston Common. According to the comment letter from Conservation Services (EOEA), the conversion of parkland even for

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a temporary use would require approval of the National Park Service (NPS) under 6(f) of the Land and Water Conservation Fund Act (P.L. 88-578). The SFEIR should discuss this issue and report on its discussions with the NPS. It should also include proponent's FTA proposed Section 4(f) statement regarding parkland. The SFEIR should respond to the concerns that were identified in the Boston Park Department's comment letter.

Mitigation:

The SFEIR should include a separate chapter on mitigation measures. It should provide a clear commitment to implement mitigation measures and should describe the timing of their implementation. This chapter on mitigation should include proposed Section 61 Findings for the MBTA. The proposed Section 61 Findings should contain a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation and the identification of the parties responsible for implementing the mitigation. A schedule for the implementation of mitigation should also be included.

The proponent has committed to the following mitigation measures in the SEIR:

- Provide replacement parking in nearby facilities for the Doubletree Hotel if parking is lost.
- Provide access to off-street parking and loading docks from Columbus Avenue for the Salvation Army and Benjamin Franklin Smith Printers that would be lost as a result of the Columbus Avenue Alternative by removing the one-story building at 320 Stuart Street.
- Provide an exclusive left-turn lane for Silver Line vehicles on Washington Street at the NEMC portal.
- Provide intersection improvements at the Arlington Street/Columbus Avenue/Stuart Street intersection and modify the preempt signal operation at the Fire Station.
- Provide pedestrian portal improvements via lighting, audible improvements, crosswalks, sidewalks, and other traffic calming measures.
- Provide an accessible and lighted pedestrian path along the side of the NEMC parking garage.
- Install groundwater observation wells along the proposed alignment and at other selected locations near the alignment. These locations will be determined in coordination with the BGT. Provide waterproofing membrane around mined tunnels, tunnel slabs, and roofs and any grouting that is needed.
- Utilize Best Management Practices such as deep sump catch

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basins prior to discharge to the BWSC drainage system with street sweeping and cleaning of catch basins for stormwater runoff in the boat section.

- Seek approval from the Massachusetts Department of Public Safety to allow the use of a pop-up hatch instead of an open stairwell to reduce visual impacts on the Boston Common.
- Prepare a Construction Management Plan for the Boston Transportation Department (BTD).
- Provide the decking of cut-and-cover areas during construction to reduce noise impacts from the project.
- Avoid archaeologically sensitive areas or provide for data recovery program in advance of construction. Provide a Section 106 Programmatic Agreement for cultural resources.
- Require that the contractor utilize equipment that has emission control devices as part of DEP's Clean Construction Initiative.

The SFEIR should include a copy of each of the following proposed documents: CMP, Section 61 Finding for the MBTA, PA, and a Section 4(f) Statement. The CMP should identify proposed truck routes for the removal of excavate. The proponent should consider making the Silver Line buses equipped with external bike racks as a mitigation measure.

Comments:

The SFEIR should respond to the comments received to the extent that the comments are within the subject matter of this scope. Each comment letter should be reprinted in the SFEIR.

Circulation:

The SFEIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should also be sent to the list of "comments received" below and to Boston officials. A hard copy of the SFEIR should be made available for public review at the Boston Public Library. The proponent should provide a hard copy of the Supplemental EIR to each state agency from which the proponent will seek permits or approvals and to the City of Boston's commenting agencies.

In an effort to conserve resources, I will allow the proponent to circulate the SFEIR in a CD-ROM format to individual (non-agency) commenters, although the proponent should make a reasonable number of print copies available on a first come, first served basis, to accommodate those without convenient access to a computer.

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DATE


Stephen R. Pritchard

cc: U.S. Representative Michael Capuano
Senator Dianne Wilkerson
Representative Salvatore F. DiMasi
Representative Marty Walsh
Representative Byron Rushing
Nancy Baker, DEP/NERO

Comments received:

05/25/2005	Andrew D. Brennan / MBTA
06/21/2005	Jonathan Pozner / Fallon Ambulance (2)
06/22/2005	Peter Hoare / EASCARE Ambulance (2)
06/22/2005	Stephen Makris
06/22/2005	Todd Fratzel
06/22/2005	Joanne M. Haracz / URS/DMJM & Harris
06/27/2005	Michael Mendelsohn, MD
06/27/2005	Kirk Sykes
06/27/2005	Jeanne Pinado / Madison Park Development
06/27/2005	Kenneth Guscott / long bay management co.
06/29/2005	Mark Slater
06/30/2005	Andrew Brennan / MBTA
06/30/2005	Debbie Ho / Chinatown Main Street
07/01/2005	Edmund Barry Gaither (2)
07/05/2005	Barbara Gaffrey
07/05/2005	Michael McCullough / J.F. White Contracting Co.
07/05/2005	Michael Fleming / White Contracting Co.
07/05/2005	Jean Papagiorgakis / White Contracting Co.
07/05/2005	John Bernazani / White Contracting Co.
07/05/2005	Jacqueline Tran / White Contracting Co.
07/05/2005	Gregory Sapochetti / White Contracting Co.
07/05/2005	Kevin Egan / White Contracting Co.
07/05/2005	Thomas Pyle / White Contracting Co.
07/05/2005	Jeff Rosen / White Contracting Co.
07/05/2005	Stephen Barlow / White Contracting Co.
07/05/2005	Stephen Cobb
07/05/2005	Jacob Abdal-Khallaq / A Nubian Notion Inc.
07/05/2005	Nicholas Goulas
07/05/2005	David Hill
07/05/2005	Marjorie Eng
07/05/2005	John Kyper / Sierra Club
07/05/2005	David Matthes
07/05/2005	William Willand
07/06/2005	Evelyn Friedman / Nuestra Comunidad Development

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07/06/2005 Evelyn Friedman / Nuestra Comunidad Development
07/06/2005 Peter Pogorski
07/06/2005 Elissa Pogorski
07/08/2005 Christopher Vrachos / White Contracting Co.
07/08/2005 Diarmuid O'Connell / The McCourt Co.
07/08/2005 Daniel Eng
07/11/2005 Katherine Greenberg
07/11/2005 Kelly McHugh / SEAPORT TMA
07/13/2005 Doug Brugge, PhD
07/13/2005 Valerie Wong
07/13/2005 Yi Ching Fedkenheuer
07/15/2005 William Moy / South Cove Neighborhood Council
07/19/2005 Gregory Imbaro
07/20/2005 Michael Rosenblatt, M.D.
07/20/2005 Martha Ballard
07/20/2005 Richard Chin
07/20/2005 Mary Darmstaetter
07/22/2005 Andrew D. Brennan / MBTA
07/22/2005 John Strodger / United Housing Management
07/22/2005 Stephanie Fan
07/22/2005 Suzanne Wedel / Boston Med Flight
07/22/2005 August Niewenhaus / Tufts-New England Medical
07/22/2005 Robert Loranger / Tufts-New England Medical
07/22/2005 Brien Barnewolt / Tufts-New England Medical
07/22/2005 Howard Spivak / Floating Hospital for Children
07/22/2005 Ivan Frantz / Floating Hospital for Children
07/25/2005 Rev. Hugh O'Regan / The Church of Saint James the
Greater
07/25/2005 Bruce Bickerstaff
07/26/2005 Robert Guen / Guen & Associates
07/26/2005 Philip Wright
07/26/2005 David Whitman
07/26/2005 David Wagner
07/26/2005 Domenic Mestroloteno
07/27/2005 Kay Ives
07/28/2005 Tony Chaves / EOEa
07/29/2005 Jennifer Soper / DCS-EOEA
07/29/2005 Dennis Berounsky
07/29/2005 William Gregor
07/29/2005 Sarah Kelly / The Boston Harbor Association (2)
07/29/2005 Sheila Grove / Washington Gateway
07/29/2005 Elliott Laffer / Boston Groundwater Trust
07/29/2005 Elizabeth Levin & Company
07/29/2005 Jeffrey Brown
07/29/2005 Charles Levin
07/29/2005 James Barrows
08/01/2005 Arnold Sapenter
08/01/2005 Irving Glick / Glick Florist
08/01/2005 Paul Gaucher
08/02/2005 Libby Blank

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08/02/2005 Ian Gardiner
08/02/2005 Jon Bernier
08/02/2005 Vicki Brown
08/02/2005 Michael Nairne
08/02/2005 Kenneth Girvin
08/02/2005 Paula and Mark Hays
08/02/2005 Pete Shults
08/03/2005 Gerry Vann
08/03/2005 Lydia Lowe / Chinese Progressive Assoc. W/
Petition
08/04/2005 June McCourt
08/04/2005 Ms. Aoife Austin (2)
08/04/2005 Mara Elich
08/04/2005 James Mambro
08/04/2005 Eric Cordes
08/04/2005 James McCormick
08/04/2005 Nan Rubin (2)
08/04/2005 Michael Rosenzweig
08/04/2005 Elisabeth Roxby
08/04/2005 Rebecca Blumm
08/04/2005 Michael Capuano, Congressman
08/05/2005 Joseph-Rocque Dion
08/05/2005 George Moccia
08/05/2005 Jeffrey Wong /Shanghai Printing Co.
08/05/2005 Maureen Wattley
08/05/2005 David Moy / Boston Chinatown Neighborhood Center
08/05/2005 Glenn Wattley
08/05/2005 Nancy Morriscoe
08/05/2005 Christopher Goddu
08/05/2005 Lily, Arthur, Lai Ming and Dorothy Chin
08/05/2005 Leslie Colburn
08/05/2005 Dorothy Atwood
08/05/2005 Douglas Vanderbilt
08/05/2005 Ruth Knopf
08/05/2005 George Klauber
08/05/2005 Donna Tritman
08/05/2005 Robert Varney
08/05/2005 Edward Allan
08/05/2005 Howard Truelove
08/05/2005 Roger Swadish
08/05/2005 Lowell Richards / MASSPORT
08/05/2005 Christopher Mansfield / Liberty Mutual
08/05/2005 Marie Moy / Boston Chinatown Resident Association
08/07/2005 Kris Foster
08/07/2005 Joan Campbell
08/07/2005 Cassio dos Santos
08/07/2005 Jorge Russell (2)
08/07/2005 Iain Webb
08/07/2005 William O'Donnell
08/07/2005 Richard Junghans, MD (2)

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08/07/2005 Jean Yee (2)
08/07/2005 John Quintal
08/07/2005 Dianna Petrusky
08/07/2005 Mr. And Mrs. Mark Gilbert
08/08/2005 Bhamati Viswanathan
08/08/2005 Brian Callaghan
08/08/2005 Amy Bodow
08/08/2005 Dean DiPilato
08/08/2005 Paul Martin
08/08/2005 Christine Apicella / MASCO
08/08/2005 Michael Morizio / Friedman & Atherton
08/08/2005 Peter O'Colmain / Four Seasons Hotel
08/08/2005 Antonia Pollak / Boston Parks and Recreation
Department
08/08/2005 Douglas Wilkins /Anderson & Kreiger
08/08/2005 Michelle Yee W/Petition (2)
08/08/2005 Anne McKinnon
08/08/2005 Robert Newman / DoubleTree Hotel
08/08/2005 Anthony Pangaro / Millennium Partners-Boston
08/08/2005 Joseph Larkin (2)
08/08/2005 Representative Byron Rushing
08/08/2005 Joe Hawley
08/08/2005 Cecilia Tjahjadi
08/08/2005 Sarah Herlihy
08/08/2005 Ann Gulesian
08/08/2005 Lisa Amatangel
08/08/2005 Roger Cassin / Columbus Center
08/08/2005 Kevin Howard
08/08/2005 John Mostyn / Corcoran Jennison
08/08/2005 Ellen Zane / Tufts-New England Medical Center
08/08/2005 Guy Busa / Washington Gateway
08/08/2005 Margaret Ings / Emerson College
08/08/2005 Brona Simon / Mass Historical Commission
08/08/2005 Thomas Tinlin / BTB
08/08/2005 Richard Lord / AIM
08/08/2005 Karen LaFrazia / St. Francis House
08/08/2005 John Felix / DEP-BOSTON
08/08/2005 Kevin Hudalla
08/08/2005 Anne Sanford
08/08/2005 Kathleen McDermott
08/08/2005 Christopher Gorglione
08/08/2005 Therese Miller
08/08/2005 Michael Fisher
08/08/2005 Bill Nigreen
08/08/2005 Judith Huckins
08/08/2005 Rebecca Zazuk
08/08/2005 Gearoid Smyth
08/08/2005 Douglas Fiebelkorn / Bay Village Neighborhood
Assoc.
08/08/2005 Charles Killam and Master Austin Killam

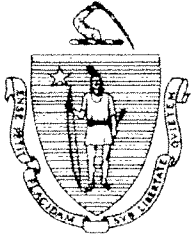
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08/08/2005 Robert McClenaghan
 08/08/2005 Thomas Perkins
 08/08/2005 Peter Sherwin / NABB
 08/08/2005 James Woodroffe
 08/08/2005 Maura Zlody
 08/08/2005 Bette Greene
 08/08/2005 David Connors
 08/08/2005 Michael Hardock (2)
 08/08/2005 Jacquelin McBride / CAC
 08/08/2005 Susan Park / Boston Preservation Alliance
 08/08/2005 Paul Miller
 08/08/2005 Anthony Gordon
 08/09/2005 Ruth Moy / Greater Boston Chinese Golden Age
 Center
 08/09/2005 Peter Sherin / Neighborhood Assoc. of the Back Bay
 08/09/2005 James Rooney / MCCA
 08/09/2005 James Fournier / The Brownstones Alliance
 08/09/2005 Ann Hershfang / WALKBOSTON
 08/09/2005 Romin Koebel
 08/09/2005 Bryan Glascock
 08/09/2005 Rene Bergstresser
 08/09/2005 Clyde Bergstresser / Campbell Campbell Edwards &
 Conroy
 08/09/2005 Joanne Hilferty / Goodwill
 08/09/2005 James Alexander
 08/09/2005 Elizabeth Boveroux
 08/09/2005 Deborah Byrnes / Retail Resource Inc.
 08/09/2005 Allison Juves
 08/09/2005 Christine Ridenour
 08/09/2005 Robert Sherwood
 08/09/2005 William Hsu
 08/09/2005 Karen Wepsic
 08/09/2005 John Cruz
 08/09/2005 Carol Gander / AMMANN & WHITNEY
 08/09/2005 Malcolm McDonald
 08/09/2005 Uta Renz
 08/09/2005 William Clendaniel
 08/09/2005 John DeMatteo / Park Square Revival Corp.
 08/09/2005 Paul Hong M.Lee / Chinatown Beautification
 Committee
 08/09/2005 James DeGiacomo / Murtha Cullina
 08/09/2005 Sherry Dong W/ Petition
 08/10/2005 Meg Mainzer-Cohen / Back Bay Association
 08/10/2005 Roz and Herb Hill
 08/10/2005 Bernard Jacobson / Jeanne Sillay Jacobson
 08/10/2005 Richard Dimino / ABC
 08/10/2005 John Ferrell / YMCA
 08/10/2005 Paula Reynolds / YMCA
 08/10/2005 Norine Shults
 08/10/2005 Barbara Gaffney

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08/10/2005 David Mundel
08/10/2005 David Crowley
08/10/2005 Kathleen Emrich / The Ellis
08/10/2005 Anne Meyers / Downtown Crossing Association
08/10/2005 Ronn Garry / Tropical Foods International
08/10/2005 Erwin Schirnerl / The Ritz-Carlton Hotels of
Boston
08/10/2005 Gordon Holmes
08/10/2005 S. Shan You
08/10/2005 Bruce Petri
08/10/2005 Anne Kilguss
08/10/2005 Donald Sheehan / Local 103 of Greater Boston
08/10/2005 Charles Vinick / Save our Sound
08/10/2005 Wayne Lamson / The Steamship Authority
08/10/2005 Jeanne Krieger / Lexington Office of Selectmen
08/10/2005 Tufts-New England Medical Center W/ Petition
08/11/2005 Steven Chin / Boston Chinese Evangelical Church
08/11/2005 Barbara Warren
08/11/2005 Mark Maloney / Boston Redevelopment Authority

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Executive Office of Environmental Affairs

100 Cambridge Street, Suite 900

Boston, MA 02114-2524

MITT ROMNEY
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KERRY HEALEY
LIEUTENANT GOVERNOR

ROBERT W. GOLLEDGE, JR.
SECRETARY

November 16, 2006

Tel. (617) 626-1000
Fax. (617) 626-1181
<http://www.mass.gov/envir>

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE NOTICE OF PROJECT CHANGE

PROJECT NAME	: Silver Line – Phase III
PROJECT MUNICIPALITY	: Boston
PROJECT WATERSHED	: Boston Harbor
EOEA NUMBER	: 6826/11707
PROJECT PROPONENT	: Massachusetts Bay Transportation Authority (MBTA)
DATE NOTICED IN MONITOR	: October 10, 2006

Pursuant to the Massachusetts Environmental Policy Act (G.L.c.30, ss61-62H) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and determine that it **requires** the preparation of a Supplemental Final Environmental Impact Report (SFEIR) as outlined in the Certificate of August 15, 2005 and as revised by this Certificate to reflect this NPC.

Project History:

The project is the merger of two separate MEPA filings (one for the South Boston Transitway, EOE #6826 and the other for the Washington Street Replacement Service, EOE #11707) that were once independent projects. In the NPC in 1998, the MBTA joined these two projects to create the Silver Line project.

The original proposal for Phase II of the Transitway (from South Station to Boylston Station) proposed an alignment going from South Station along Essex and Avery Streets, and terminating in a loop underneath the Boston Common's Central Burial Ground. The impacts of that alignment were fully reviewed under MEPA. The FEIR/FEIS for the Transitway was found adequate in 1994, and the MBTA issued its Section 61 Finding in 1995.

In the 1998 NPC, the MBTA introduced the extension of the tunnel beyond the Boylston Station, with an alignment along Tremont Street, and with a portal at Washington Street and Oak Street for vehicles to connect to the Washington Street component of the Silver Line. In the August 9, 1999 Certificate on the NPC, the Secretary required the MBTA to prepare annual updates on the Silver Line and to evaluate any additional environmental impacts associated with

the extension of the tunnel to the portal. The MBTA has continued to develop Phase III and has advanced the design for the project.

On June 15, 2004, the proponent submitted an NPC for MEPA review that proposed modifications to the tunnel alignment for Phase III of the Silver Line bus rapid transit (BRT) project. The project involves the construction of a tunnel between South Station and Charles Street, connecting Phase I of the Silver Line with Phase II. The MBTA identified a core tunnel segment for Silver Line Phase III that follows an alignment along Essex and Boylston Streets, with two Silver Line stations at Boylston Street (connecting to the Green Line) and at Chinatown (connecting to the Orange Line), and considered alternative alignments for the tunnel connection to the portal providing access to Washington Street. It is designing and constructing the Phase III tunnel so that it can be converted at some point in the future to use by light rail.

On August 23, 2004, the Secretary issued a Certificate that required the proponent to submit a Supplemental EIR to identify the project impacts and identify a Preferred Alternative alignment for the tunnel connection to the portal to provide access to Washington Street. On August 15, 2005, the Secretary determined that the Supplemental EIR submitted was adequate. The Secretary required the proponent to prepare a Supplemental Final Environmental Impact Report (SFEIR) to refine the alternatives analysis and identify the Preferred Alternative for Phase III.

Current NPC Project Description:

The NPC consists of the development of a new alternative location for the portal for the Silver Line. The proposed portal location is along Tremont Street between Charles Street South and Marginal Road. The new alternative is referred to as the "Charles Street Modified" (CSM) Alignment. It is very similar to the Charles Street Alignment that was included in last year's Supplemental EIR, except for the location of the portal/boat section. The proponent had identified two other possible locations for the portal/boat section: one location at New England Medical Center and another location on Columbus Avenue. During the Supplemental EIR review, commenters suggested a different portal along Marginal Road. In the Certificate on the Supplemental EIR, the Secretary directed the proponent to investigate this alternative further. While the Marginal Road alternative as proposed was not feasible, the MBTA found that a slight variation of the alternative had great promise. This alternative has become the CSM Alignment.

In addition, the proponent has identified some possible alternatives for the entrance/egress to the proposed Boylston Silver Line Station to address concerns raised by commenters on the Supplemental EIR. The MBTA has requested that the scope for the SFEIR be amended to add the CSM alignment and the new entrance/egress alternatives for the Silver Line Boylston Station.

The SFEIR should resolve all the remaining issues that follow.

Project Description and Regulatory Environment:

The SFEIR should include a detailed description of the project. It should identify the alternatives for the six alignments for Phase III beyond Boylston Station and describe the proponent's Preferred Alternative. The SFEIR should also discuss any changes to the project since the submission of the SEIR, such as the CSM Alignment and the proposed alternatives for the entrances/egress to the proposed Boylston Silver Line Station. It should include an existing and proposed site plan showing the alternatives. The SFEIR should include station plans for the proposed Silver Line stations showing station entrances/exits and proposed crosswalks. It should describe each state agency action required to implement the Preferred Alternative. It should also identify the amount of state funds/bonds and federal funding that may be requested for this project.

Alternatives Analysis:

The SFEIR must identify and fully analyze six alternative route alignments beyond Boylston Station:

- Tremont Street Alignment to the New England Medical Center (NEMC) Portal;
Charles Street Alignment to the NEMC Portal;
- Back Bay Portal on Columbus Avenue;
The Federal Transit Administration's (FTA) Charles/Stuart /Tremont Street alignments to the NEMC Portal; and
- Charles Street Modified (CSM) Alignment.

I encourage the proponent to respond to comments regarding a proposed alternative in which the MBTA would build the Core Tunnel only. If the proponent chooses to assess this alternative, such analysis should also include a full consideration of the cost, cost effectiveness and transit benefits of the Core Tunnel project, since these criteria have been used to screen other alternatives in previous analyses. I am mindful that the Silver Line Phase III is an element of the Central Artery/Clean Air Act Transit Commitments Administrative Consent Order between the DEP and EOT, and that any analysis of the Core Tunnel must address how a change in the project comports with the ACO. EOT should consult with the DEP regarding this issue. The proponent should specifically consider and present in the Final EIR the potential environmental justice impacts associated with each alternative under consideration.

The SFEIR should summarize the potential environmental impacts for the alternative alignments for Phase III in a tabular format: projected ridership, traffic, parking, transit, pedestrian and bicycle facilities, drainage/groundwater, noise/vibration, hazardous wastes, construction/community disruption, land acquisition, historical/cultural issues, parkland/open space, mitigation, and costs. It should discuss the impacts in a detailed fashion to assist the

reviewer in seeing how the Preferred Alternative for Phase III was selected. The SFEIR should utilize the same "build year" to compare all alignment alternatives for Phase III.

Traffic:

The SFEIR should include a Traffic Study that summarizes the traffic operations in the study area for the tunnel alignments beyond Boylston Station. It should include a full Traffic Study for traffic operations for the CSM Alignment. A Level-of-Service (LOS) analysis should be presented for the following intersections for the morning and evening peak hours:

- Tremont Street/Charles Street South/Jefferson Street;
- Tremont Street/Church Street;
- Marginal Road/Tremont Street;
- Marginal Road/Arlington Street;
- Marginal Road/ Shawmut Street;
- Marginal Road/Washington Street;
- Herald Street/Tremont Street/Arlington Street;
- Herald Street/ Shawmut Street;
- Herald Street/Washington Street;
- Herald Street/Harrison Avenue;
- Herald Street/Albany Street;
- Harrison Street/ Traveler Street;
- Traveler Street/Washington Street;
- Tremont Street/Oak Street West/Shawmut Avenue; and
- Charles Street South/Stuart Street.

The SFEIR should identify the specific traffic impacts from the project's potential conflicts with other vehicle traffic at the three portal alternatives and the proposed contra flow and reserved bus lanes. It should summarize the Supplemental EIR's LOS tables, the average and 95th percentile vehicle queues for each intersection within the study area.

The SFEIR should provide a summary of the prior traffic accident history for the three most recent years for which data was available and update it for the SFEIR. It should include a traffic accident history for the new intersections added to the above study area. Traffic accident problem areas should be identified, and solutions should be proposed. The SFEIR should discuss the suitability of proposed signalization changes and any roadway widening or losses due to proposed portals. It should discuss the right-of-way (ROW) implications of possible roadway widening and roadway losses and describe how such ROW's would be acquired. The SFEIR should provide an inventory of pre- and post-on-street parking facilities in the project area for each alternative. It should identify any loss of on-street parking spaces along Marginal Road, Herald Street, Tremont Street, South Charles Street, and other streets.

The SFEIR should address the several commenters who expressed continued concern with the potential impact of the NEMC portal alternative on existing traffic flow and emergency vehicle traffic. It should evaluate additional design measures that may further mitigate the potential impacts associated with this alternative. The SFEIR should summarize the gap analysis at NEMC portal. It should investigate whether the proponent could add an additional traffic lane for Herald Street for a total of four lanes (one for buses and three for general traffic). The SFEIR should determine if there is an adverse impact on vehicles entering/exiting Paul Place to access the 120 Herald Street parking structure. The SFEIR should describe the proponent's coordination with the other major traffic projects that will be occurring at the same time; e.g. the Reconstruction of Longfellow Bridge, the Tunnel of Storrow Drive, and the B.U. Bridge. It should provide an analysis of changes to the circulation patterns for the Bay Village neighborhood from the CSM Alignment as well as the other portal locations. The SFEIR should provide an analysis and graphics showing any changes proposed for traffic patterns in adjacent streets. It should describe how the contra-flow lanes will be clearly designated to promote safety.

Transit:

The SFEIR should provide an inventory of MBTA services in the project study area. This inventory should include maps of existing bus routes, Silver Line service routes, and subway infrastructure, including abandoned Green Line tunnels. The SFEIR should include ridership estimates for the full Silver Line, as well as for the Phase III portion, and for the various alternative alignments beyond Boylston Station, and for the Core Tunnel Only. It should summarize the manufacturer's design and performance standards for the dual-mode vehicles that will be used within the Phase III portion of the Silver Line. The MBTA should outline its operations plan for Phase III and identify the vehicle headways for different times during the day. It should identify the MBTA's proposed headway commitments regarding the maintenance of the existing Silver Line route to Temple Place. The SFEIR should update and explain its design plans for Boylston Station, Chinatown Station, and any Portal Station. It should describe the range of potential options for a surface loop/spur to Back Bay. The SFEIR will need to update the financial analysis for Phase III.

The SFEIR should identify any impacts on the estimated travel time and the ridership levels of the Silver Line bus as it travels to Downtown Crossing from the proposed alternatives beyond Boylston Station. It should describe how the level-of-service along the various parts of the Silver Line may differ. The SFEIR should describe how certain buses would be diverted from the proposed portal to Downtown Crossing. It should address concerns regarding the need to improve the existing operation of the Silver Line from Dudley to Downtown Crossing. The SFEIR should address the ability of the proposed CSM Alignment to accommodate another bus if there is a breakdown within the portal section. It should address the opportunity of creating a new on-street station for Bay Village, Chinatown, and the South End. The SFEIR should address the Conservation Law Foundation's (CLF) comment that Administrative Consent Order # ACO-BO-00-7001 required that federal funding be secured for the Silver Line Phase III by 2005 and if

that funding was not secured, an annual urban transit investment must be provided. The SFEIR should also provide an analysis of how the Preferred Alternative's service will meet the needs of the environmental justice populations.

Pedestrian/Bicycle Issues:

The SFEIR should depict where sidewalks currently exist in a map of the station and proposed portal areas and where the proponent proposes changes to existing sidewalks and crosswalks. It should document existing and future pedestrian volumes and LOS at intersections in the vicinity of proposed stations and portals. The SFEIR should identify how the Preferred Alternative's proposed boat section may wall-off neighborhoods from each other and their access. It should discuss existing pedestrian access and future access after the project. Does the Preferred Alternative impact pedestrian access to the three schools in the area?

Air Quality:

The SFEIR must demonstrate that the operation of diesel buses at the portal will not have an adverse impact on air quality. It should analyze and identify the number of buses using the alternative portals. Low-emission diesel buses will emit particulate matter. The SFEIR should provide an analysis of the health impacts from diesel buses on the nearby environmental justice populations adjacent to the route.

Noise and Vibration Issues:

The SFEIR should determine existing noise levels in the project area and identify noise sensitive locations along Phase III. It should estimate what future noise levels will be during the construction of Boylston Station, the tunnel and the portal(s), and when Phase III is completed. Noise levels should be identified for the six alternatives alignments for Phase III during construction and during future operations. The MBTA should use the Federal Transit Administration (FTA) guidelines (1995) for determining noise and vibration level impacts and compare this data with City of Boston Noise Regulations. The SFEIR should outline when and what types of noise and vibration will be associated with the construction of Boylston Station and beyond. The proponent is proposing to deck over cut-and-cover sections of the tunnel construction to reduce potential noise impacts. What other measures will be proposed by the proponent to reduce noise impacts.

The SFEIR should identify existing and potential vibration levels and vibration sensitive locations along the proposed tunnel at Boylston Station and beyond. It should identify areas determined to have unacceptable noise/vibration levels during construction. The SFEIR should summarize the concerns raised regarding impacts from both construction and operation of the portal at NEMC and its MRI capabilities.

Drainage/Groundwater:

The SFEIR should present drainage calculations and plans for the management of stormwater for the Preferred Alternative. It should include a description of the proposed drainage system design, including a discussion of the alternatives considered along with their impacts. The proposed drainage system should control storm flows at existing levels before entering the Boston Water and Sewer Commission (BWSC) stormwater system. The MBTA should consider recharging stormwater runoff in order to retain as much as possible of the existing groundwater flows and drainage patterns. The SFEIR should indicate the pump stations receiving stormwater flows from the project area and identify any capacity issues at the pump stations.

The SFEIR should address the performance standards of DEP's Stormwater Management Policy for its Preferred Alternative. It should demonstrate that the design of the drainage system is consistent with this policy. The proponent should use the DEP Stormwater Management Handbook when addressing this issue.

The SFEIR should discuss consistency of the project with the provisions of the National Pollution Discharge Elimination System (NPDES) general permit from the U.S. Environmental Protection Agency for stormwater discharges from construction sites. The SFEIR should include a discussion of best management practices employed to meet the NPDES requirements, and should include a draft Pollution Prevention Plan.

The SFEIR should include a maintenance program that describes the actual maintenance operations and responsible parties.

Any dewatering of the construction site should include monitoring to ensure that there is no impact to the groundwater level. The maintenance of groundwater levels is particularly important because of the number of buildings constructed on untreated wood piles that were designed to be continuously submerged in groundwater. The SFEIR should include a census/survey of existing building foundations to determine which are supported on wooden piles and where those pilings are cut off. This census should be performed within a two-block radius of the core tunnel and the Preferred Alternative's tunnel and portal areas as requested by the Boston Groundwater Trust (BGT). It should document the elevation and condition of existing wood pilings that exist and report on potential causes of reduced groundwater in the area. The census will be based on existing City of Boston records. It will not involve underground investigations at this time. The SFEIR should outline the proponent's proposed monitoring program of groundwater levels. It should identify existing pre-construction groundwater levels, and propose groundwater monitoring to address any potential impacts if existing groundwater levels are affected. The proponent should consult and coordinate its groundwater-monitoring program with the BGT.

Historical/Cultural Issues:

The SFEIR should summarize the results of its inventory of historical, archaeological, and cultural resources that could be potentially impacted in the Core area of the project. It also should identify the potential impacts for the various portal alternatives beyond Boylston Station. The SFEIR should provide any new information on historical/cultural resources developed since the Supplemental EIR was filed. It should update reviewers on its meetings with the Massachusetts Historical Commission (MHC) and the measures that the proponent is taking to comply with MHC's review. The SFEIR should provide a draft/final copy of its Memorandum of Agreement (MOA)/Programmatic Agreement (PA) with MHC and any proposed addendums. I ask the proponent to also consult with the Boston Landmarks Commission before finalizing any MOA.

The SFEIR should develop a contingency procedure to address the possibility for the inadvertent discovery of human remains over 100 years old (similar to the process outlined for the South Boston Piers/Transitway project), and the proponent should consult with the State Archaeologist.

Parkland/Open Space:

The SFEIR should identify both temporary and permanent impacts to proposed parks or open space areas from the various alternatives beyond Boylston Station and at Boylston Station itself with its new proposed entrances/exits. I encourage the proponent to avoid and/or minimize to the maximum extent feasible any permanent taking of valuable parkland and open space areas unless there is no other feasible alternative available to the proponent. The SFEIR should quantify and demonstrate the necessity of any unavoidable temporary impacts to parks or open space. It should clearly describe the proposed mitigation for any temporary takings. The SFEIR should identify any impacts to Article 97 land, consistency with EOE's Article 97 Land Disposition Policy, and the Article 97 process that would be required for such a taking if required as part of the Preferred Alternative.

If the proponent proposes to pursue the use of parkland as a staging area, the SFEIR should include the replacement plan for such uses, such as the ball field on the Boston Common. According to the comment letter from Conservation Services (EOEA), the conversion of parkland even for a temporary use would require approval of the National Park Service (NPS) under 6(f) of the Land and Water Conservation Fund Act (P.L. 88-578). The SFEIR should discuss this issue and report on its discussions with the NPS. It should also include proponent's FTA proposed Section 4(f) statement regarding parkland. The SFEIR should respond to the concerns that were identified in the Boston Park Department's comment letters.

Construction Impacts/Land Acquisitions/Leases:

The SFEIR should present a discussion on potential construction period impacts (including but not limited to noise, vibration, dust, rodent control, transit disruption, and traffic maintenance) and analyze the feasible measures that can avoid or eliminate these impacts. The SFEIR should provide information regarding the potential phasing/staging of construction for Phase III.

The SFEIR should identify any land acquisitions and/or leasing, both temporary and permanent, which the MBTA is proposing for the project. It should also identify the time frame proposed for temporary leasing. The SFEIR should demonstrate how traffic flow will be maintained in areas of cut-and-cover construction, which is proposed at several locations.

Mitigation:

The SFEIR should include a separate chapter on mitigation measures. It should provide a clear commitment to implement mitigation measures and should describe the timing of their implementation. This chapter on mitigation should include proposed Section 61 Findings for the MBTA. The proposed Section 61 Findings should contain a clear commitment to mitigation, an estimate of the individual costs of the proposed mitigation and the identification of the parties responsible for implementing the mitigation. A schedule for the implementation of mitigation should also be included.

The proponent has committed to the following mitigation measures in the SEIR:

- Provide replacement parking in nearby facilities for the Doubletree Hotel if parking is lost.
 - Provide access to off-street parking and loading docks from Columbus Avenue for the Salvation Army and Benjamin Franklin Smith Printers that would be lost as a result of the Columbus Avenue Alternative by removing the one-story building at 320 Stuart Street.
 - Provide an exclusive left-turn lane for Silver Line vehicles on Washington Street at the NEMC portal.
 - Provide intersection improvements at the Arlington Street/Columbus Avenue/Stuart Street intersection and modify the preempt signal operation at the Fire Station. Provide pedestrian portal improvements via lighting, audible improvements, crosswalks, sidewalks, and other traffic calming measures.
 - Provide an accessible and lighted pedestrian path along the side of the NEMC parking garage.
- Install groundwater observation wells along the proposed alignment and at other selected locations near the alignment. These locations will be determined in coordination with the BGT. Provide waterproofing membrane around mined tunnels,

- tunnel slabs, and roofs and any grouting that is needed.
 - Utilize Best Management Practices such as deep sump catch basins prior to discharge to the BWSC drainage system with street sweeping and cleaning of catch basins for stormwater runoff in the boat section.
 - Seek approval from the Massachusetts Department of Public Safety to allow the use of a pop-up hatch instead of an open stairwell to reduce visual impacts on the Boston Common.
 - Prepare a Construction Management Plan (CMP) for the Boston Transportation Department (BTD).
 - Provide the decking of cut-and-cover areas during construction to reduce noise impacts from the project.
- Avoid archaeologically sensitive areas or provide for data recovery program in advance of construction. Provide a Section 106 Programmatic Agreement (PA) for cultural resources.
- Require that the contractor utilize equipment that has emission control devices as part of DEP's Clean Construction Initiative.

The SFEIR should include a copy of each of the following proposed documents: the CMP, Section 61 Findings for the MBTA, the PA, and a Section 4(f) Statement. The CMP should identify proposed truck routes for the removal of excavate. The proponent should consider making the Silver Line buses equipped with external bike racks as a mitigation measure.

Comments:

The SFEIR should respond to the comments on the Supplemental EIR and the NPC received to the extent that the comments are within the subject matter of this scope. Each comment letter should be reprinted in the SFEIR.

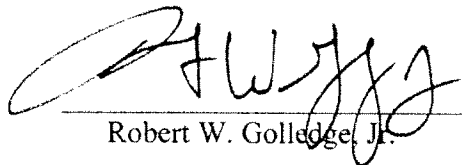
Circulation:

The SFEIR should be circulated in compliance with Section 11.16 of the MEPA regulations and copies should also be sent to the list of "comments received" below on the NPC Certificate, "comments received" on the Supplemental EIR Certificate, and to Boston officials. A hard copy of the SFEIR should be made available for public review at the Boston Public Library. The proponent should provide a hard copy of the Supplemental EIR to each state agency from which the proponent will seek permits or approvals and to the City of Boston's commenting agencies.

In an effort to conserve resources, I will allow the proponent to circulate the SFEIR in a CD-ROM format to individual (non-agency) commenters, although the proponent should make a

reasonable number of print copies available on a first come, first served basis, to accommodate those without convenient access to a computer.

November 16, 2006
DATE



Robert W. Gollidge, Jr.

cc: U.S. Representative Michael Capuano
Speaker Salvatore F. DiMasi
Senator Dianne Wilkerson
Representative Salvatore F. DiMasi
Representative Marty Walsh
Representative Byron Rushing
Representative Gloria L. Fox
Nancy Baker, MassDEP/NERO

Comments received:

Cruz Development Corp., 10/5/06
Nuestra Comunidad Development Corp., 10/5/06
Primary Corp., 10/5/06
R.E. Hill & Co., 10/5/06
Long Bay Management Co., 10/5/06
Peter Christodoulo, 10/10/06
Mary E. Darmstaetter, 10/11/06
695 Atlantic Avenue Co., 10/11/06
Urban League of Eastern Massachusetts, 10/12/06
Sierra Club, 10/19/06
Stephen R. Katz, 10/20/06
The Druker Co., 10/20/06
South Boston Seaport TMA, 10/20/06
Evalyn Lipton Fishbein, 10/20/06
Scott A. Webster, 10/23/06
Park Square Revival Corp., 10/23/06
Form Letter (Jean Papagiorgakis) – (8 letters), 10/23/06
Mary E. Gardill, 10/23/06
Ann & Dudley Gulesian, 10/23/06
Construction Industries of Massachusetts, 10/23/06

Bay Village Neighborhood Association, 10/23/06
Joseph-Rocque Dion, 10/24/06
U.S. Congressman Michael E. Capuano, 10/24/06
MBTA, 10/24/06
Barbara Warren, 10/24/06
David Larson, 10/24/06
Brenda Chartoff, 10/25/06
Sonet Electrical Systems, 10/25/06
Jeremy Rassen, 10/25/06
MHC, 10/25/06
ABC, 10/25/06
Christopher Vrachos Jr., 10/26/06
W. Howard Truelove, 10/26/06
Emerson College, 10/26/06
Tenants of the D and E Buildings – Mass Pike Towers, 10/26/06
Tufts-New England Medical Center, 10/26/06
Conley Harris, 10/27/06
Alternatives for Community & Environment, 10/27/06
One Charles Condominium, 10/27/06
Boston Groundwater Trust, 10/27/06
Back Bay Association, 10/27/06
Mass Pike Towers Tenant Association, 10/28/06
Dianna Petrusky, 10/29/06
The Ellis South End Neighborhood Association, 10/29/06
Chinese Economic Development Council, 10/29/06
Beatrice Greene, 10/30/06
Asian Task Force Against Domestic Violence, 10/30/06
James F. Clark, 10/30/06
Paula Walach, 10/30/06
Liberty Mutual, 10/30/06
Unreadable Signature, 10/30/06
Greater Boston Chamber of Commerce, 10/30/06
Corcoran Jennison, 10/30/06
Conservation Law Foundation, 10/30/06
Representative Byron Rushing, 10/30/06
Massport, 10/30/06
Bay Village Neighborhood Association (approx. 100 letters attached), 10/30/06
Joan and James F. Mooney, Jr., 10/30/06
Steve Dunwell, 10/30/06
Washington Street Corridor Coalition, 10/30/06
Four Seasons Hotel, 10/30/06
Representative Gloria L. Fox, 10/30/06

NABB, 10/30/06
Park Plaza Civic Advisory Committee, 10/30/06
Boston Parks and Recreation Department, 10/30/06
Alternatives for Community & Environment, 10/30/06
Speaker Salvatore F. DiMasi, 10/30/06
Washington Gateway Main Street, 10/30/06
Boston Parks and Recreation Department, 10/30/06
Kathleen Kolar, 10/30/06
Boston Parks and Recreation Department, 10/31/06
Leather District Neighborhood Association, 10/31/06
Shirley Kressel, 10/31/06
Boston Transportation Department, 10/31/06
MAPC, 10/31/06
Gateway Main Street, 11/1/06
David Hill, 11/2/06
MBTA, 11/2/06
Evalyn Lipton Fishbein, 11/3/06
Susanne H. Englert, 11/6/06
Local 4 Operating Engineers, 11/7/06
MBTA, 11/9/06

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RWG/WTG/wtg